

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff

Case No. SA-23-CV-01030-JKP

v.

**BARRETT FIREARMS MFG CO, 82A1
RIFLE CAL: 50 BMG, SERIAL
NUMBER AA015600,**

Defendant

DEFAULT JUDGMENT OF FORFEITURE

Petitioner United States of America moves for entry of a Default Judgment of Forfeiture pursuant to Federal Rule 55(b)(2) against the property described as:

Barrett Firearms Mfg. Co. 82A1 Rifle, Cal: 50 BMG, Serial Number AA015600, hereinafter referred to as the “Respondent Property,” and against any and all right, title, and interest of Gabriela Gracia, and any and all other potential claimants in the Respondent Property. The Court finds Petitioner proved by a preponderance of the evidence there is a nexus between the Respondent Property and the violation of Title 18 U.S.C. § 922(a)(6), by virtue of the facts cited in the Verified Complaint for Forfeiture (Doc. 1), and that the Respondent Property is subject to forfeiture to the United States of America pursuant to Title 18 U.S.C. § 924(d)(1); and Gabriela Gracia, and any and all other potential claimants were properly served with notice of this civil forfeiture action. The Court also finds the Clerk’s Entry of Default was properly entered on February 16, 2024. (Doc. 9).

Petitioner has shown no claims or answers were filed in this cause of action as required by Rule G of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, Fed. R. Civ. P.; by Title 18 U.S.C. § 983(a)(4)(A) and (B), and as required by this Court's Order for Warrant of Arrest of Property (Doc. 4), entered on October 5, 2023. As such, Gabriela Gracia, and any and all other potential claimants are now in default and this Court, being duly and fully apprised in all the premises, believes Petitioner's Motion is well-founded and should be, and hereby is, in all things GRANTED.

THEREFORE, IT IS HEREBY ORDERED that a Default Judgment of Forfeiture be, and hereby is, entered against the Respondent Property; and

IT IS FURTHER ORDERED that any and all right, title, and interest of Gabriela Gracia, in the Respondent Property be, and hereby is, held in default and FORFEITED to the United States of America; and

IT IS FURTHER ORDERED that any and all right, title, and interest of any and all other potential claimants, in the Respondent Property be, and hereby is, held in default and FORFEITED to the United States of America; and


IT IS FURTHER ORDERED that the Respondent Property, be and hereby is, FORFEITED to the United States of America; and

IT IS FURTHER ORDERED that the Bureau of Alcohol, Tobacco, Firearms and Explosives and/or its designated agent shall dispose of the Respondent Property, in accordance with law; and

IT IS FURTHER ORDERED that any and all costs and expenses regarding the seizure and forfeiture of the Respondent Property be reimbursed to the Bureau of Alcohol, Tobacco, Firearms and Explosives and/or its designated agent.

IT IS SO ORDERED.

SIGNED this 6th day of March, 2024.



JASON PULLIAM
UNITED STATES DISTRICT JUDGE